

ORIGINAL

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April 6, 2005

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Federal Communications Commission  
Office of Secretary

EX PARTE

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
236 Massachusetts Ave., NE - Suite 110  
Washington, DC 20002

Re: CG Docket No. 02-278

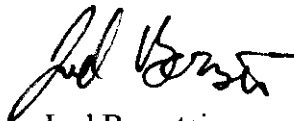
In the Matter of Rules and Regulations Implementing the Telephone Consumer  
Protection Act of 1991

On April 5, 2005, Amy Healy of the Yellow Pages Association ("YPA") (formerly Yellow Pages Integrated Media Association) and the undersigned met with Jay Keithley, Erica McMahon and Gene Fullano of the Consumer and Governmental Affairs Bureau, regarding YPA's pending Petition for Reconsideration in the above captioned matter.

We specifically discussed the impending effective date of the changes to rules regarding unsolicited commercial facsimiles and the existence of established business relationship as a means to determine prior authorization. We discussed the legislative efforts to statutorily create an established business relationship exemption and the need for the Commission to grant an effective date extension beyond June 30, 2005.

We discussed the impact the new rules will have on directory publishers and the time and effort it will take to comply with the Commission's rule changes. Directory publishers have specific deadlines in which to finish solicitations for various directories. The additional step of asking for and obtaining written permission is time consuming and could mean the difference between an advertiser being in or out of the directory for that year. For many small businesses, the telephone directory is the only form of advertising. Losing that advertising for a year could create significant financial hardships for these small businesses. We also discussed other matters detailed in YPA's filings in this docket.

Sincerely,



Joel Bernstein  
Counsel for the Yellow Pages Association

cc: Jay Keithley  
Erica McMahon  
Gene Fullano

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